## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

COURTNEY R. LOGAN,	)
Plaintiff,	)
VS.	) No. 18-1094-JDT-cgc
SHAWN PHILLIPS, ET AL.,	)
Defendants.	)

## SECOND ORDER DIRECTING PLAINTIFF TO COMPLY WITH 28 U.S.C. § 1915(a)(1)-(2) OR PAY THE \$400 CIVIL FILING FEE

The *pro se* prisoner Plaintiff, Courtney R. Logan, filed a civil complaint on May 29, 2018. (ECF No. 1.) The complaint was not, however, accompanied by the filing fee or an application to proceed *in forma pauperis*. Therefore, the Court issued an order on May 31, 2018, directing Plaintiff to submit, within 30 days, either the entire \$400 filing fee or an *in forma pauperis* affidavit and a copy of his inmate trust account for the past six months. (ECF No. 3.)

On June 25, 2018, the Clerk received and docketed a document from Plaintiff labeled "Money Order." (ECF No. 4.) This handwritten document, signed by Plaintiff, purportedly directs the \$400 filing fee to be paid to the United States and charged to Plaintiff. (*Id.*) A "memo account" number is included, which appears to be a partially redacted social security number. The document also notes, "According to HJR – 192." (*Id.*)

The inclusion of HJR – 192 on Plaintiff's document reveals that he is attempting to

take advantage of what has been called the "redemption" theory, which apparently asserts

that every citizen born in the United States is entitled to redeem money in an "account held

by the Treasury Department, which holds the proceeds of a sale of that citizen's birth

certificate." However, this theory is wholly frivolous. See Bryant v. Washington Mut. Bank,

524 F. Supp. 2d 753, 758-60 (W.D. Va. 2007); Rasheed v. Comerica Bank, No. 05-73668,

2005 WL 3592009 (E.D. Mich. Nov. 2, 2005). The "money order" submitted by Plaintiff

does not suffice for payment of the filing fee.

Plaintiff is again ORDERED to submit, within thirty days after the date of this order,

either the entire \$400 civil filing fee or a properly completed and executed application to

proceed in forma pauperis and a certified copy of his inmate trust account statement for the

last six months. The Clerk is directed to mail Plaintiff another copy of the prisoner in forma

pauperis affidavit form along with this order.

Plaintiff is again warned that if he fails to comply with this order in a timely manner

the Court will deny leave to proceed in forma pauperis, assess the entire \$400 filing fee from

his inmate trust account without regard to the installment payment procedures, and dismiss

the action without further notice for failure to prosecute, pursuant to Federal Rule of Civil

Procedure 41(b).

IT IS SO ORDERED.

s/ James D. Todd

JAMES D. TODD

UNITED STATES DISTRICT JUDGE

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